

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

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|-----------------|--|-------------|------------------|
| Case No. | CV 12-08498 RGK (CWx) | Date | January 10, 2013 |
| Title | Simonyan v. Asset Acceptance, LLC et al. | | |

Present: The
Honorable

R. GARY KLAUSNER, U.S. DISTRICT JUDGE

Sharon L. Williams (Not Present)

Not Reported

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

Proceedings:

(IN CHAMBERS) Order Re: Dismissal Order as to Plaintiff's Claims Against Defendants Asset, Department, Capital One, Chase, Victoria's Secret, Education Credit, and Nordstrom & Defendant Nordstrom's Motion to Dismiss (DE 48)

On October 3, 2012 Plaintiff Armine Simonyan ("Plaintiff") filed a Complaint against twelve defendants ("Defendants") for violations of fair credit reporting and debt collection statutes. Five Defendants moved for dismissal, which was granted as to those Moving Defendants, leaving (1) Asset Acceptance LLC ("Asset"), (2) Department Stores National Bank ("Department"), (3) Capital One Bank USA ("Capital One"), (4) Chase Bank, N.A. ("Chase"), (5) Victoria's Secret, Inc. ("Victoria's Secret"), (6) Education Credit Management ("Education Credit"), and (7) Nordstrom FSB ("Nordstrom") ("Remaining Defendants") as the remaining defendants in this action.

On January 2, 2013, the Court ordered Plaintiff to show cause as to why the Remaining Defendants should not also be dismissed from this action pursuant to Federal Rule of Civil Procedure 12(b)(6). On January 8, 2013, Plaintiff filed a response to the Order, thus the Order to Show Cause is discharged.

As to Defendants Nordstrom and Department, Plaintiff fails to provide an adequate reason or demonstrate facts why claims against them should not be also dismissed. Therefore, the Court **DISMISSES WITH PREJUDICE** Defendants Nordstrom FSB and Department Stores National Bank. The Court also **DENIES as moot** Defendant Nordstrom's Motion to Dismiss. (DE 48.)

As to Defendants Asset, Victoria's Secret, Chase Bank, Capital One, and Education Credit, Plaintiff provides additional facts to support the claims against them, however, the Complaint remains inadequate for the purposes of this action. Therefore, the Court **DISMISSES without prejudice** Defendants Asset, Victoria's Secret, Education Credit, Chase Bank, and Capital One.

IT IS SO ORDERED.

Initials of Preparer

